

Loudoun County Board of Supervisors Fire and Rescue Commission By-Laws

(Adopted: 4 February 2003)

Definitions

In the context of this document, the following terms refer to:

“Board” – The Loudoun County Board of Supervisors

“Chief of Fire and Rescue Services” – The head of the Department of Fire and Rescue Services who acts as the system-wide Chief.

“Career staff” – An employee of the County of Loudoun in the Department of Fire and Rescue Services.

“Chairperson” – The elected Chairperson of the Loudoun County Fire and Rescue Commission.

“Commission” – The Loudoun County Fire and Rescue Commission.

“Commission Charter” – The formal instrument providing Board of Supervisor endorsement, empowerment, and guidance to the Loudoun County Fire and Rescue Commission, as ratified May 20, 2002.

“Commission Aide” – An employee of the Department of Fire-Rescue assigned to provide administrative and professional support to the Fire-Rescue Commission

“Companies” – Independent, non-profit corporations officially recognized by the Loudoun County Board of Supervisors, providing fire, rescue, or emergency medical services in accordance with the laws of the Commonwealth of Virginia and the County of Loudoun.

“County” – Loudoun County Government.

“Department” – Department of Fire and Rescue Services.

“Local funds” – County Government funds for which local tax dollars are the source of revenue.

“Vice-Chairperson” - The elected Vice-Chairperson of the Loudoun County Fire and Rescue Commission

“Volunteer” – An individual who, without salary, performs fire, rescue, emergency medical, or other related services.

“Volunteer corporation” – See “Companies.”

“EMS Council” – The Loudoun County Emergency Medical Services Advisory Council, Incorporated.

“Fire Council” – The Loudoun County Fire Advisory Council, Incorporated.

ARTICLE I – Title and Objectives

The name of this organization shall be the Loudoun County Fire and Rescue Commission (hereafter referred to as the “Commission”). These by-laws apply to this Commission with the intent of carrying out the objectives outlined in the Charter as approved by the Loudoun County Board of Supervisors.

The Commission is committed to providing the citizens of Loudoun County with competent, effective and efficient fire, rescue and emergency medical services. Responsibility for the provision of these public safety services in Loudoun County rests with the Department of Fire and Rescue Services and the Volunteer system.

The Board of Supervisors through the Fire-Rescue Commission maintains that fire, rescue, and emergency services should reflect:

- Cost-effective service provisions;
- Recognition and promotion of the welfare of the general public;
- Accountability for service levels and resource use in a manner required of all public programs;
- Fair representation and communication of all views regarding these services; and
- Adequate response to projected growth within the County.

These objectives will be achieved through a partnership of the volunteer and career system, as endorsed and supported by the Board and the Commission, as defined in the Charter of this Commission.

Service delivery must be provided on a County-wide basis and must be characterized by uniformity in emergency response performance, consistent with Commission-endorsed goals for response efficiency, and in the application of operational regulations and procedures.

The Commission retains the authority to establish, define, and revise assigned company and/or station response areas and make recommendations to the Board with respects to the establishment and dissolution of fire-rescue companies and/or stations.

The Board and the Commission recognize and respect the contributions of volunteers, which have resulted in the protection of life and property in Loudoun County and their provision of vital and generous private support for essential public services.

The Commission will vigorously support the continuation and expansion of volunteer participation as a means of providing fire, rescue and emergency medical services in a cost-effective manner while encouraging qualified volunteer participation.

ARTICLE II - Composition of the Fire and Rescue Commission

1. The Commission shall consist of seven (7) voting members and two (2) non-voting members, all of whom are entitled to participate in all Commission meetings.
2. The seven (7) voting members shall include: the Chief of the Department of Fire and Rescue Services, three (3) fire volunteers and three (3) emergency medical services volunteers. The two (2) non-voting members shall include a member of the Board of Supervisors and the Operational Medical Director.
3. Members of the Commission shall be appointed by the Board of Supervisors to serve two-year staggered terms. Each year the Board will appoint three volunteer members to the Commission from a list of applications solicited through public advertisement.
4. Appointment terms will commence following candidate selection at the last Board of Supervisors business meeting in the month of May, with newly appointed Commissioners seated on the 30th day of June within that same year. All such members of the Commission shall be members in good standing and there shall be no more than one Commissioner from any volunteer company.
5. Nominations for application to fill pending Commission vacancies will be solicited through public advertisement so as to ensure timely appointment.
6. Membership on the Commission can be terminated by action of the Board of Supervisors. Mid-term vacancies will similarly be filled by Board appointment.

Article III – Election of Officers

1. The Chairperson presiding over the July meeting will solicit nominations for the offices of Chairperson and Vice-Chairperson.
2. Tie votes will be resolved by a recast of ballots by voting Commissioners.

Article IV – Officers

Chairperson:

1. The Chairperson shall be elected annually from among the voting Commission members, at the July Commission business meeting.
2. Eligible candidates for the office of Chairperson shall have served on the Commission for a period of not less than one year at time of election.
3. The Chief of the department shall not be deemed eligible to serve as Chairperson.

4. The Chairperson shall preside over all meetings and other proceedings of the Commission.
5. The Chairperson shall have and exercise the general supervision of the affairs of the Commission in accordance with terms and conditions of the Commission Charter as ratified by the Board of Supervisors May 20, 2002.
6. The Chairperson shall represent the Commission before the Board of Supervisors and other relevant organizations.
7. The Chairperson shall authorize all Commission meetings, work sessions, and associated agendas or oversee assignment of Board of Supervisors-directed initiatives, appointing sub-committees and work groups and associated chairpersons and members as necessary.

Vice-Chairperson:

1. The Vice-Chairperson shall be elected annually from among the voting Commission members, at the July Commission business meeting.
2. The Chief of the department shall not be deemed eligible to serve as Vice-Chairperson.
3. At the request of the Chairperson, or in the event of his/her absence or disability, the Vice-Chairperson shall perform the duties and possess and exercise the powers of the Chairperson.
4. The Vice-Chairperson shall have other such powers and shall perform such other duties as determined by the Commission.

Other Officers:

1. The Commission and/or Chairperson shall appoint other officers as deemed necessary to successfully perform Commission duties. Other officers serve terms of up to one year's duration at the pleasure of the Commission and/or Chairperson.

Article V - Meetings

1. All scheduled meetings of the Fire-Rescue Commission shall be open to the public and held subject to Freedom of Information Act (FOIA) provisions.
2. Upon the approval of the presiding Chairperson and as permitted under the provisions of the FOIA, an "executive session" session may be convened for the purposes of Commission discussion of matters not considered public domain (e.g. personnel issues). At the conclusion of an executive session, the regular business meeting shall reconvene upon notification to all attendees.
3. While regular business meetings of the Commission shall routinely be scheduled to coincide with the last Tuesday of each calendar month, alteration to this schedule as deemed necessary may be endorsed by the Commission, with commensurate public advertisement. Business meetings shall convene at a time and place as agreed upon by the Commission, and as advertised to the public. Meeting agendas, action and information items, and other materials

relevant to a scheduled meeting shall be distributed to Commission members consistent with terms and conditions set forth in “Fire-Rescue Commission Work Processes” (Appendix “A”)

4. Regular business meeting agendas will be developed under the supervision of the Chairperson, in conformance with the following outline:
 - Call to order
 - Attendance
 - Public Comments
 - Staff Comments
 - Commissioner Comments
 - Council Reports
 - Medical Director’s Report
 - Officer/Committee Reports
 - Approval of the minutes of the previous meeting
 - Action Items
 - Information Items
 - New Business
 - Adjournment

Council and Committee reports shall be tendered in writing for Commissioner review. All action and information items shall be submitted for consideration per terms and conditions in “Fire-Rescue Commission Work Process” (Appendix “A”). Additionally, Action and information items as ratified by the Commission shall subsequently be forwarded, as necessary, with recommendation to the Board of Supervisors per timeline reflected in Appendix “A”

5. Special meetings and/or work sessions shall be scheduled by the Chairperson as required.
6. Commission members are expected to attend all regular business meetings unless absent for good cause with notification to the Chairperson or Commission Aide. If any member misses three consecutive meetings without just cause, the Chairperson will draft a follow-up letter of inquiry. Persistent absenteeism may result in the Commission’s recommendation to the Board of Supervisors that the offending member’s Commission appointment be terminated.
7. In compliance with policy established by the Board of Supervisors, the Commission will not meet when schools are closed because of inclement weather or on Holidays. If a meeting is cancelled for other reasons, members will be notified by the Commission Aide. If a meeting is postponed due to inclement weather or any other reason, the business agenda scheduled for that meeting shall be carried forward to the next regularly scheduled meeting.
8. Public comment will be accommodated at each regular Commission business meeting, wherein each party is limited to a five (5) minute presentation, with speakers representing multiple present parties affiliated with a Commission-recognized agency or organization allocated a ten (10) minute presentation period.
9. Commissioner comment will be accommodated at each regular Commission business meeting, with each Commissioner limited to a five (5) minute presentation.

10. Minutes documenting the proceedings of each Commission meeting and/or work session shall be promptly drafted by the Commission Aide, reviewed by the Chairperson, and distributed to each Commission member in accordance with terms and conditions of "Fire-Rescue Commission Work Process" (Appendix "A")

Article VI – Quorum/Voting

1. Four (4) voting Commission members, representing a simple majority, shall constitute a quorum.
2. A majority affirmative vote of the Commissioners present at a valid meeting shall be required to adopt any action other than an amendment to the by-laws in which case the provisions of Article IX shall apply
3. Each of the seven (7) voting Commissioners shall be entitled to one vote for each action item tendered.
4. Any issue or action voted on by the Commission shall be considered "passed" if it receives a simple majority of the votes cast.
5. Proxy voting will not be permitted.
6. The issue/action shall be considered defeated if a tie vote occurs. At the next regularly scheduled business meeting of the Commission, any Commissioner who was absent from the meeting during which the aforementioned issue/action was defeated can request that the issue be reintroduced and brought to another vote. If a tie vote results from this second balloting, then the issue is defeated and cannot be reintroduced.
7. Once an issue has been defeated, it cannot be brought back on the Commission agenda for action unless it has been modified in some way that might result in a more favorable decision.

Article VII – Committees

1. The Chairperson shall establish standing and adhoc committees.
2. Unless specifically authorized by the Commission, all committees will be chaired by a voting member of the Commission.
3. The Commission recognizes the value of the Loudoun County Fire Council and Loudoun County EMS Advisory Council as input advisory groups and for implementation of Commission-endorsed policies. The Commission shall have full discretion to refer items to the Councils or act independent of said referral. Council input and advice on matters as requested by the Commission shall be accompanied with established submission deadlines. Council input shall be construed as advisory in nature, with Commission action not constrained by condition of Council endorsement.

Article VIII – Staff Support

1. The Department of Fire-Rescue shall provide executive and clerical staff support to the Commission. Such support shall include, but not be limited to, providing a recording secretary for all Commission meetings, facilitating agenda development, production and distribution of Commission correspondence and materials, research, and project support.

Article IX – By-law Changes

1. Proposed changes to the By-laws must be submitted in writing to the Chairperson, who shall ensure timely distribution of written communication reflecting proposed changes to all Commissioners at least ten (10) days prior to the business meeting at which action on proposed changes will be considered.
2. Bylaws shall be approved, amended, and/or repealed by no less than a two-thirds majority (defined as five “5” voting Commissioners).

Article X – Parliamentary Procedure

1. For any Rules of Order not specifically addressed herein, Robert’s Rules of Order shall prevail.

Article XI – Discrimination

1. In administering it’s affairs, the Fire and Rescue Commission shall not discriminate against any person on the basis of race, creed, color, national or ethnic origin, gender, sexual orientation, age, or disability.

Article XII - Establishment of a New Fire and/or Rescue Company/Station

1. Written request to the Commission describing unmet needs and protection requirements necessitating an additional company and/or station in a community/area shall be submitted by one of the following parties:
 - An organized group of citizens representative of their general area.
 - An existing Volunteer Company.
 - The Department of Fire and Rescue Services.
2. In determining the need for establishing a new fire and/or rescue company or station, the Commission and the nearest existing fire and/or rescue companies will in an unbiased manner take into consideration factors that include, but are not limited to:
 - Density and type of structures/hazards to be protected
 - Commission-endorsed response efficiency standards applicable to the area described.

- Travel time from and response activity levels of existing stations
 - Call volume anticipated in area described
 - First due area to be established
 - Available volunteer manpower and career staffing necessary for 24-hour operations
 - Proposed equipment requirements
 - Proposed housing
 - Proposed site location
 - Method of financing
 - Proposed date of operation
3. The Commission Chairman shall inform the applicants of the minimum standards required by the Commission.
 4. A report outlining the decision of the Commission shall be submitted to all interested parties. If the report is unfavorable, the parties at a future date, by following the same procedures, may request further consideration.
 5. If the report is favorable for the establishment of an additional station, then upon receipt of final approval by the Loudoun County Board of Supervisors, parties can proceed to establish the station endorsed.
 6. If the report is favorable for the establishment of a new Volunteer Company, then upon receipt of final approval by the Loudoun County Board of Supervisors, the parties must proceed to incorporate as a non-profit organization under the laws of the Commonwealth of Virginia.

ARTICLE XIII – SERVICE AGREEMENTS/CAREER STAFFING REQUESTS

1. The Commission will be responsible for endorsement of the Service Agreement between the Volunteer Companies and the County. Written requests by either party to modify a service agreement must be filed with the Commission and will be acted upon within two regularly scheduled business meetings of the filing.
2. Requests for career staffing enhancements must be filed with the Commission. Upon approval by the Commission, the request will be honored as staffing is available to the department through the Board of Supervisors annual budget process or by other means.